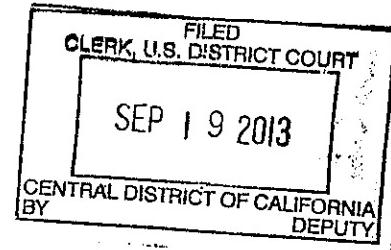


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17 *Attorneys for Plaintiff*

18 **UNITED STATES DISTRICT COURT**  
19 **CENTRAL DISTRICT OF CALIFORNIA**

20 **MIGUEL MENDOZA,  
INDIVIDUALLY AND ON  
BEHALF OF ALL OTHERS  
SIMILARLY SITUATED,**

23 Plaintiff,

24 v.

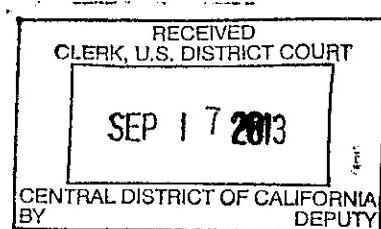
25 **AD ASTRA RECOVERY  
SERVICES, INC.,**

27 Defendant.

Case No.: 6922 CAS (JLB-x)

CLASS ACTION COMPLAINT FOR  
DAMAGES

JURY TRIAL DEMANDED



28 ///

1       1. MIGUEL MENDOZA (“Plaintiff”) brings this Class Action  
2 Complaint for damages, injunctive relief, and any other available legal or  
3 equitable remedies, resulting from the illegal actions of AD ASTRA  
4 RECOVERY SERVICES, INC. (“Defendant”), in negligently and/or willfully  
5 contacting Plaintiff on Plaintiff’s cellular telephone, in violation of the Telephone  
6 Consumer Protection Act, 47 U.S.C. § 227 et seq., (“TCPA”), thereby invading  
7 Plaintiff’s privacy. Plaintiff alleges as follows upon personal knowledge as to  
8 himself and his own acts and experiences, and, as to all other matters, upon  
9 information and belief, including investigation conducted by his attorneys.  
10

11      2. The TCPA was designed to prevent calls and text messages like the  
12 ones described herein, and to protect the privacy of citizens like Plaintiff.  
13 “Voluminous consumer complaints about abuses of telephone technology – for  
14 example, computerized calls dispatched to private homes – prompted Congress to  
15 pass the TCPA.” *Mims v. Arrow Fin. Servs., LLC*, 132 S. Ct. 740, 744 (2012).

16      3. In enacting the TCPA, Congress intended to give consumers a choice  
17 as to how corporate similar entities may contact them, and made specific findings  
18 that “[t]echnologies that might allow consumers to avoid receiving such calls are  
19 not universally available, are costly, are unlikely to be enforced, or place an  
20 inordinate burden on the consumer.     TCPA, Pub.L. No. 102–243, § 11. In  
21 support of this, Congress found that

22           [b]anning such automated or prerecorded telephone  
23 calls to the home, except when the receiving party  
24 consents to receiving the call or when such calls are  
25 necessary in an emergency situation affecting the health  
26 and safety of the consumer, is the only effective means  
27 of protecting telephone consumers from this nuisance  
28 and privacy invasion.

1 Id. at § 12; see also *Martin v. Leading Edge Recovery Solutions, LLC*, 2012 WL  
2 3292838, at\* 4 (N.D.Ill. Aug. 10, 2012) (citing Congressional findings on  
3 TCPA's purpose).

4 4. Congress also specifically found that “the evidence presented to the  
5 Congress indicates that automated or prerecorded calls are a nuisance and an  
6 invasion of privacy, regardless of the type of call....” Id. at §§ 12-13. See also,  
7 *Mims*, 132 S. Ct. at 744.

8 5. As Judge Easterbrook of the Seventh Circuit recently explained in a  
9 TCPA case regarding calls to a non-debtor similar to this one:  
10  
11

12  
13 The Telephone Consumer Protection Act ... is well  
14 known for its provisions limiting junk-fax  
15 transmissions. A less-litigated part of the Act curtails  
16 the use of automated dialers and prerecorded messages  
17 to cell phones, whose subscribers often are billed by the  
18 minute as soon as the call is answered—and routing a  
19 call to voicemail counts as answering the call. An  
automated call to a landline phone can be an  
annoyance; an automated call to a cell phone adds  
expense to annoyance.  
20

21 *Soppet v. Enhanced Recovery Co., LLC*, 679 F.3d 637, 638 (7th Cir. 2012).

22 **JURISDICTION AND VENUE**

23 6. This Court has federal question jurisdiction because this case arises  
24 out of violations of federal law. 47 U.S.C. §227(b); *Mims v. Arrow Fin. Servs.,*  
25 *LLC*, 132 S. Ct. 740 (2012).

26 7. Venue is proper in the United States District Court for the Central  
27 District of California pursuant to 18 U.S.C. § 1391(b) and 1441(a) because  
28

1 Defendant is subject to personal jurisdiction in the County of Los Angeles, State  
2 of California.

3 **PARTIES**

4 8. Plaintiff is, and at all times mentioned herein was, a citizen and  
5 resident of the State of California. Plaintiff is, and at all times mentioned herein  
6 was, a “person” as defined by 47 U.S.C. § 153 (10).

7 9. Plaintiff is informed and believes, and thereon alleges, that  
8 Defendant is, and at all times mentioned herein was, a corporation whose State of  
9 Incorporation and principal place of business is in the State of Kansas.  
10 Defendant, is and at all times mentioned herein was, a corporation and is a  
11 “person,” as defined by 47 U.S.C. § 153 (10). Plaintiff alleges that at all times  
12 relevant herein Defendant conducted business in the State of California and in the  
13 County of Los Angeles, and within this judicial district.

14 **FACTUAL ALLEGATIONS**

15 10. At all times relevant, Plaintiff was a citizen of the State of California.  
16 Plaintiff is, and at all times mentioned herein was, a “person” as defined by 47  
17 U.S.C. § 153 (10).

18 11. Defendant is, and at all times mentioned herein was, a corporation  
19 and a “person,” as defined by 47 U.S.C. § 153 (10).

20 12. At all times relevant Defendant conducted business in the State of  
21 California and in the County of Los Angeles, within this judicial district.

22 13. Beginning sometime on or around February of 2012, Defendant  
23 began to utilize Plaintiff’s cellular telephone number, ending in 6782, in an  
24 attempt to collect an alleged debt stemming from a past short term payday loan  
25 obtained for personal use.

26 14. On numerous occasions, when Plaintiff did not answer Defendant’s  
27 call, Defendant left Plaintiff a voicemail message on his cellular telephone which

1 utilized a pre-recorded or artificial voice requesting a return call to discuss and/or  
2 resolve the alleged outstanding debt.

3       15. From February 2012 to present, Defendant has left at least twenty-  
4 four (24) voicemail messages on Plaintiff's cellular telephone which utilized a  
5 pre-recorded or artificial voice.

6       16. On several occasions, Plaintiff answered Defendant's call and  
7 demanded that Defendant cease placing all calls to his cellular telephone. Despite  
8 this, Defendant's calls persisted.

9       17. The calls Defendant placed to Plaintiff's cellular telephone were  
10 placed via an "automatic telephone dialing system," ("ATDS") as defined by 47  
11 U.S.C. § 227 (a)(1) as prohibited by 47 U.S.C. § 227 (b)(1)(A).

12       18. This ATDS has the capacity to store or produce telephone numbers  
13 to be dialed, using a random or sequential number generator.

14       19. The telephone number that Defendant, or its agents, called was  
15 assigned to a cellular telephone service for which Plaintiff incurs a charge for  
16 incoming calls pursuant to 47 U.S.C. § 227 (b)(1).

17       20. These telephone calls constituted calls that were not for emergency  
18 purposes as defined by 47 U.S.C. § 227 (b)(1)(A)(i).

19       21. As Plaintiff had demanded that Defendant cease placing any calls to  
20 his cellular telephone number on numerous occasions, Defendant's calls were  
21 placed without Plaintiff's prior express consent pursuant to 47 U.S.C. § 227  
22 (b)(1)(A).

23       22. These telephone calls by Defendant, or its agents, violated 47 U.S.C.  
24 § 227(b)(1).  
25  
26  
27  
28

1                   CLASS ACTION ALLEGATIONS

2         23. Plaintiff brings this action on behalf of himself and on behalf of and  
3         all others similarly situated ("the Class").

4         24. Plaintiff represents, and is a member of, the Class, consisting of All  
5         persons within the United States who received any telephone call/s from  
6         Defendant or its agent/s and/or employee/s to said person's cellular telephone  
7         made through the use of any automatic telephone dialing system and/or an  
8         artificial or pre-recorded voice and such person had not previously consented to  
9         receiving such calls within the four years prior to the filing of this Complaint.

10         25. Defendant and its employees or agents are excluded from the Class.  
11 Plaintiff does not know the number of members in the Class, but believes the  
12 Class members number in the thousands, if not more. Thus, this matter should be  
13 certified as a Class action to assist in the expeditious litigation of this matter.

14         26. Plaintiff and members of the Class were harmed by the acts of  
15 Defendant in at least the following ways: Defendant, either directly or through its  
16 agents, illegally contacted Plaintiff and the Class members via their cellular  
17 telephones, thereby causing Plaintiff and the Class members to incur certain  
18 cellular telephone charges or reduce cellular telephone time for which Plaintiff  
19 and the Class members previously paid, and invading the privacy of said Plaintiff  
20 and the Class members. Plaintiff and the Class members were damaged thereby.

21         27. This suit seeks only damages and injunctive relief for recovery of  
22 economic injury on behalf of the Class, and it expressly is not intended to request  
23 any recovery for personal injury and claims related thereto. Plaintiff reserves the  
24 right to expand the Class definition to seek recovery on behalf of additional  
25 persons as warranted as facts are learned in further investigation and discovery.

26         28. The joinder of the Class members is impractical and the disposition  
27 of their claims in the Class action will provide substantial benefits both to the

1 parties and to the court. The Class can be identified through Defendant's records  
2 or Defendant's agents' records.

3 29. There is a well-defined community of interest in the questions of law  
4 and fact involved affecting the parties to be represented. The questions of law  
5 and fact to the Class predominate over questions which may affect individual  
6 Class members, including the following:

- 7 a) Whether, within the four years prior to the filing of this Complaint,  
8 Defendant or its agents placed any calls to the Class (other than a  
9 call made for emergency purposes or made with the prior express  
10 consent of the called party) to a Class member using any automatic  
11 dialing system and/or a prerecorded or artificial voice to any  
12 telephone number assigned to a cellular phone service;
- 13 b) Whether Plaintiff and the Class members were damaged thereby, and  
14 the extent of damages for such violation; and
- 15 c) Whether Defendant and its agents should be enjoined from engaging  
16 in such conduct in the future.

17 30. As a person that received numerous calls from Defendant via an  
18 automated telephone dialing system and/or an artificial or pre-recorded voice  
19 without Plaintiff's prior express consent, Plaintiff is asserting claims that are  
20 typical of the Class. Plaintiff will fairly and adequately represent and protect the  
21 interests of the Class in that Plaintiff has no interests antagonistic to any member  
22 of the Class.

23 31. Plaintiff and the members of the Class have all suffered irreparable  
24 harm as a result of the Defendant's unlawful and wrongful conduct. Absent a  
25 class action, the Class will continue to face the potential for irreparable harm. In  
26 addition, these violations of law will be allowed to proceed without remedy and  
27 Defendant will likely continue such illegal conduct. Because of the size of the  
28

1 individual Class member's claims, few, if any, Class members could afford to  
2 seek legal redress for the wrongs complained of herein.

3 32. Plaintiff has retained counsel experienced in handling class action  
4 claims and claims involving violations of the Telephone Consumer Protection  
5 Act.

6 33. A class action is a superior method for the fair and efficient  
7 adjudication of this controversy. Class-wide damages are essential to induce  
8 Defendant to comply with federal law. The interest of Class members in  
9 individually controlling the prosecution of separate claims against Defendant is  
10 small because the maximum statutory damages in an individual action for  
11 violation of privacy are minimal. Management of these claims is likely to present  
12 significantly fewer difficulties than those presented in many class claims.  
13

14 34. Defendant has acted on grounds generally applicable to the Class,  
15 thereby making appropriate final injunctive relief and corresponding declaratory  
16 relief with respect to the Class as a whole.

17 **FIRST CAUSE OF ACTION**  
18 **NEGLIGENT VIOLATIONS OF THE TELEPHONE CONSUMER**  
19 **PROTECTION ACT**  
20 **47 U.S.C. § 227 ET SEQ.**

21 35. Plaintiff incorporates by reference all of the above paragraphs of this  
Complaint as though fully stated herein.

22 36. The foregoing acts and omissions of Defendant constitute numerous  
23 and multiple negligent violations of the TCPA, including but not limited to each  
24 and every one of the above-cited provisions of 47 U.S.C. § 227 et seq.

25 37. As a result of Defendant's negligent violations of 47 U.S.C. § 227 et  
seq., Plaintiff and The Class are entitled to an award of \$500.00 in statutory  
damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B).  
26  
27  
28

38. Plaintiff and the Class are also entitled to and seek injunctive relief prohibiting such conduct in the future.

**SECOND CAUSE OF ACTION  
KNOWING AND/OR WILLFUL VIOLATIONS OF THE  
TELEPHONE CONSUMER PROTECTION ACT  
47 U.S.C. § 227 ET SEQ.**

39. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

40. The foregoing acts and omissions of Defendant constitute numerous and multiple knowing and/or willful violations of the TCPA, including but not limited to each and every one of the above-cited provisions of 47 U.S.C. § 227 et seq.

41. As a result of Defendant's knowing and/or willful violations of 47 U.S.C. § 227 et seq, Plaintiff and The Class are entitled to an award of \$1,500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(C).

42. Plaintiff and the Class are also entitled to and seek injunctive relief prohibiting such conduct in the future.

## PRAYER FOR RELIEF

Wherefore, Plaintiff respectfully requests the Court grant Plaintiff and The Class members the following relief against Defendant:

**FIRST CAUSE OF ACTION FOR NEGLIGENT VIOLATIONS OF THE  
TCPA, 47 U.S.C. § 227 ET SEQ.**

43. As a result of Defendant's negligent violations of 47 U.S.C. § 227(b)(1), Plaintiff seeks for himself and each Class member \$500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B).

44. Pursuant to 47 U.S.C. § 227(b)(3)(A), injunctive relief prohibiting such conduct in the future.

45. Any other relief the Court may deem just and proper.

**SECOND CAUSE OF ACTION FOR KNOWING AND/OR WILLFUL  
VIOLATIONS OF THE TCPA, 47 U.S.C. § 227 ET SEQ.**

46. As a result of Defendant's knowing and/or willful violations of 47 U.S.C. § 227(b)(1), Plaintiff seeks for himself and each Class member \$1,500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(C).

47. Pursuant to 47 U.S.C. § 227(b)(3)(A), injunctive relief prohibiting such conduct in the future.

48. Any other relief the Court may deem just and proper.

## TRIAL BY JURY

49. Pursuant to the seventh amendment to the Constitution of the United States of America, Plaintiffs are entitled to, and demand, a trial by jury.

Respectfully submitted this 16th day of September, 2013.

LAW OFFICES OF TODD M. FRIEDMAN, P.C.

By:

Todd M. Friedman  
Law Offices of Todd M. Friedman  
Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Christina A. Snyder and the assigned Magistrate Judge is Jay C. Gandhi.

The case number on all documents filed with the Court should read as follows:

2:13CV6922 CAS JCGx

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

September 19, 2013

Date

By J.Prado

Deputy Clerk

---

NOTICE TO COUNSEL

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

Western Division  
312 N. Spring Street, G-8  
Los Angeles, CA 90012

Southern Division  
411 West Fourth St., Ste 1053  
Santa Ana, CA 92701

Eastern Division  
3470 Twelfth Street, Room 134  
Riverside, CA 92501

**Failure to file at the proper location will result in your documents being returned to you.**

Todd M. Friedman, Esq.  
 Law Offices of Todd M. Friedman, P.C.  
 369 S. Doheny Dr., #415  
 Beverly Hills, CA 90211  
 Phone: 877-206-4741  
 Fax: 866-633-0228

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

MIGUEL MENDOZA, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED	PLAINTIFF(S)	CASE NUMBER
v.		<u>CV 13-6922 CAS (JLGx)</u>
AD ASTRA RECOVERY SERVICES, INC.	DEFENDANT(S).	SUMMONS

TO: DEFENDANT(S): AD ASTRA RECOVERY SERVICES, INC.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached  complaint  amended complaint  counterclaim  cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Todd M. Friedman, whose address is Law Offices of Todd M. Friedman, 369 S. Doheny Dr., #415, Beverly Hills, CA 90211. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

SEP 19 2013

Dated: \_\_\_\_\_

Clerk, U.S. District Court

By: \_\_\_\_\_

Deputy Clerk

(Seal of the Court)



[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3).]

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/> ) MIGUEL MENDOZA, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED		DEFENDANTS AD ASTRA RECOVERY SERVICES, INC.		
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)  Todd M. Friedman, Esq, Law Offices of Todd M. Friedman, P.C. 369 S. Doheny Dr., #415, Beverly Hills, CA 90211		Attorneys (If Known)		
II. BASIS OF JURISDICTION (Place an X in one box only.)		III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.)		
<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)	Citizen of This State	PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1 Incorporated or Principal Place of Business in this State <input type="checkbox"/> 4 <input type="checkbox"/> 4	
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	Citizen of Another State	PTF DEF <input type="checkbox"/> 2 <input type="checkbox"/> 2 Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 5 <input type="checkbox"/> 5	
		Citizen or Subject of a Foreign Country	PTF DEF <input type="checkbox"/> 3 <input type="checkbox"/> 3 Foreign Nation <input type="checkbox"/> 6 <input type="checkbox"/> 6	
IV. ORIGIN (Place an X in one box only.)				
<input checked="" type="checkbox"/> 1 Original <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify): <input type="checkbox"/> 6 Multi-District Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge				
V. REQUESTED IN COMPLAINT: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Check 'Yes' only if demanded in complaint)				
CLASS ACTION under F.R.C.P. 23: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
<input checked="" type="checkbox"/> MONEY DEMANDED IN COMPLAINT: \$ 5,000,000				
VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.) 47 U.S.C. 227, et seq., Telephone Consumer Protection Act ("TCPA")				
VII. NATURE OF SUIT (Place an X in one box only.)				
OTHER STATUTES	CONTRACT	TORTS	PRISONER PETITIONS	LABOR
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus	<input type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	310 Airplane	<input type="checkbox"/> 530 General	<input type="checkbox"/> 720 Labor/Mgmt. Relations
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	315 Airplane Product Liability	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 450 Commerce/ICC Rates/etc.	<input type="checkbox"/> 140 Negotiable Instrument	320 Assault, Libel & Slander	<input type="checkbox"/> 540 Mandamus/ Other	<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	330 Fed. Employers' Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 790 Other Labor Litigation
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	340 Marine	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	345 Marine Product Liability	<input type="checkbox"/> FORFEITURE / PENALTY	<input type="checkbox"/> PROPERTY RIGHTS
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 160 Stockholders' Suits	355 Motor Vehicle Product Liability	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 850 Securities/Commodities/ Exchange	<input type="checkbox"/> 161 Other Contract	360 Other Personal Injury	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 190 Contract Product Liability	362 Personal Injury-Med Malpractice	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> SOCIAL SECURITY
<input checked="" type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Franchise	365 Personal Injury-Product Liability	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 891 Agricultural Act	<input type="checkbox"/> 210 Land Condemnation	368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 892 Economic Stabilization Act	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> IMMIGRATION	<input type="checkbox"/> 660 Occupational Safety /Health	<input type="checkbox"/> 863 DIWC/DIWW (405(g))
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 894 Energy Allocation Act	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 463 Habeas Corpus-Alien Detainee		<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions		<input type="checkbox"/> FEDERAL TAX SUITS
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 290 All Other Real Property			<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 950 Constitutionality of State Statutes				<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

CV13-6922

FOR OFFICE USE ONLY: Case Number:

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed?  No  Yes  
 If yes, list case number(s): \_\_\_\_\_

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case?  No  Yes  
 If yes, list case number(s): \_\_\_\_\_

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply)  A. Arise from the same or closely related transactions, happenings, or events; or  
 B. Call for determination of the same or substantially related or similar questions of law and fact; or  
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

## IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.  
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.  
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Kansas

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.  
 Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date September 16, 2013

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

## Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 403(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))